

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO. 2:24-cr-00147-LK

Plaintiff,

ORDER GRANTING UNOPPOSED
MOTION TO CONTINUE TRIAL
DATE AND PRETRIAL MOTIONS

JOHN M. WHISENANT,

Defendant.

This matter comes before the Court on the Defendant John M. Whisenant's Unopposed Motion to Continue the Trial Date and Pretrial Motions. Dkt. No. 17.

On March 22, 2024, Mr. Whisenant pleaded guilty to one count of Wire Fraud. *United States v. Whisenant*, No. 2:23-cr-00138-LK, Dkt. Nos. 26–30 (W.D. Wash.). Mr. Whisenant’s sentencing was set for July 16, 2024, but he failed to appear. Dkt. No. 1 at 1; *see also* 23-cr-138, Dkt. No. 45. The Court subsequently reset the sentencing date for October 11, 2024. 23-cr-138, Dkt. No. 53.

1 On August 28, 2024, the Government filed an indictment against Mr. Whisenant based on
 2 his non-appearance. Dkt. No. 1. Following an initial appearance and arraignment, a trial date was
 3 set for November 18, 2024, and a pretrial motions cut-off date for October 3, 2024. Dkt. No. 6.

4 Mr. Whisenant now requests that his trial date be continued to June 2, 2025 and the pretrial
 5 motions cut-off date to April 21, 2025. Dkt. No. 17 at 2. The Government does not oppose the
 6 request. *See id.* at 1–2. Mr. Whisenant represents that a continuance will allow him to “explore a
 7 potential resolution of this matter with the Government.” *Id.* at 2. If resolved, this case could then
 8 track the related case currently pending before the Court (23-cr-138), and sentencing in both cases
 9 could be coordinated. *See id.* This would “streamline sentencing in both cases, avoid litigation on
 10 duplicate issues, and preserve judicial economy.” *Id.* The Court agrees and finds that the ends of
 11 justice served by granting a continuance outweigh the best interest of the public and Mr. Whisenant
 12 in any speedier trial. *See* 18 U.S.C. § 3161(h)(7)(A). Mr. Whisenant has filed a speedy trial waiver
 13 waiving his right to a speedy trial through July 2, 2025. Dkt. No. 18 at 1.

14 * * *

15 The Court therefore GRANTS Mr. Whisenant’s motion, Dkt. No. 17, and ORDERS that
 16 his trial date be continued from November 18, 2024 to June 2, 2025, and that the pretrial motions
 17 deadline shall be continued to April 21, 2025. It is further ORDERED that, pursuant to 18 U.S.C.
 18 § 3161(h)(7)(A) and (B), the period of delay from the date of this Order to the new trial date is
 19 EXCLUDED when computing the time within which Mr. Whisenant’s trial must commence under
 20 the Speedy Trial Act.

21 Dated this 4th day of October, 2024.

22 
 23 Lauren King
 24 United States District Judge